

MINUTES

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN, DIVISION
Montgomery , Alabama

HON. Vanzetta Penn McPherson

DATE COMMENCED: 6/28/06

DIGITAL RECORDING: 2:15 - 3:45

DATE COMPLETED: 6/28/06

DAVID FREEMAN

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vs

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2:06cv122-MHT

RICHARD F. ALLEN

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PLAINTIFF

APPEARANCES:

DEFENDANT

Robin Corinne Konrad
Keir Weybel

Cheryl Ann Schuetze
Henry M. Johnson

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COURT OFFICIALS PRESENT:

Wanda A. Robinson, Courtroom Deputy
Cindy Tolbert, Law Clerk

PROCEEDINGS:

() JURY TRIAL

(x) OTHER PROCEEDINGS: Scheduling /Case Management Conference

SEE MINUTES ATTACHED

LOG OF PROCEEDINGS ELECTRONICALLY RECORDED			
Description	2:06cv122-MHT: Scheduling /Case Management Conference		
Date	6 /28/2006	Location	Courtroom 5A
Time	Speaker	Note	
2 :15:30 PM	Court	Convenes; Counsel recognized; Atty. Henry M. Johnson should file notice of appearance by close of business today	
2 :17:39 PM	Court	Discusses with counsel, claims in which counsel disagrees within Joint Report; Court informs counsel that if claim is not stated, it will be forfeited; Court will stay with the way petitioner has framed claims	
2 :43:25 PM	Court	Discusses with counsel Scheduling of the litigations; Vast majority of discovery within the State, may be some outside the State; Petitioner gives explanation as to why additional discovery may be needed; Court will set this discovery issue for an independent process; Petitioner to file motion for discovery with justification for discovery by 7/14/06 respondent by 8/4/06 to reply	
2 :57:29 PM	Petitioner	Expresses to the Court, he may not know by 7/14/06, which claims may need additional discovery	
2 :59:14 PM	Court	Further Questions petitioner as to the amount of time needed to determine what discovery he will request	
3 :01:02 PM	Petitioner	Requests 6 months for Discovery	
3 :01:30 PM	Respondent	Argues way to much time requested	
3 :02:53 PM	Petitioner	Further give justification for request for 6 months	
3 :03:49 PM	Court	Sets briefing schedule: Due date for respondent's brief set for Procedural Default 8/18/06; Petitioner response by 9/15/06; Reply brief from the respondent due 10/13/06; Petitioners reply brief by 10/27/06	
3 :13:03 PM	Petitioner	Reiterates 6 months for fact development which may require additional discovery	
3 :13:46 PM	Court	Request Repondents to step outside the courtroom; RECORD SEALED until Court otherwise Orders	
3 :22:09 PM	Court	Proceedings UNSEALED and back on the record; Respondent's counsel re-enters the courtroom	
3 :23:09 PM	Court	RESETS DEADLINES: Discovery Motion Due by Petitioner by 8/4/06; Respondent's Reply by 8/18/06; COURT TO ISSUE ORDER; Court will rule on discovery motion and then set a briefing schedule	
3 :25:23 PM	Court	Discusses with Petitioners counsel's budget in the case	
3 :42:06 PM	Court	TO ISSUE ORDER directing resubmission of Budget	
3 :45:10 PM		RECESS	